

REMARKS

Applicants have carefully considered the Office Action dated February 24, 2005 regarding the above-identified application. The amendments and remarks herein together with the accompanying Terminal Disclaimer are presented in a bona fide effort to respond thereto and address all issues raised in that Action. Prompt favorable reconsideration is requested.

The paragraph providing the cross-references to the ancestors of this application is replaced with a new version, to correct a typographical error as to filing date of one of the earlier cases, and to add patent numbers for earlier cases.

Applicants are concurrently filing an Information Disclosure Statement to advise the Examiner of a document recently cited in an Action in a European application. It is respectfully requested that the continued examination of this application include consideration of the newly cited document.

Applicants previously filed a series of Information Disclosure Statements. The Office Action included document citation forms (PTO-1449s) from those earlier Statements. However, the form from Applicants' June 30, 2004 Statement was signed but was not marked to indicate how the Examiner treated the one listed Japanese document. The soft copy of the prosecution history of this matter currently available on-line at the USPTO web site includes the Statement and the cited document. Presumably, the Examiner considered the Japanese document. Further copies can be provided upon request. It is requested that the Examiner consider the Japanese document cited in the June 30, 2004 Information Disclosure Statement, as part of the reconsideration of this application, and that the Examiner indicate consideration by initialing the form from that Statement alongside the citation of the Japanese document and returning the fully initialed document listing (PTO-1449) with the next Official communication regarding this case.

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The Action included a provisional rejection of claims 1-4 for ‘same invention’ type double patenting, under 35 U.S.C. § 101, over claims 1-4 of commonly assigned copending application 10/649,665. Claim 1 is newly cancelled above. Applicants requested cancellation of claims 2-4 at item 6 (bottom of page 1) of the Request Form filed September 23, 2003 with this continuation application. If that request was not sufficient, then claims 2-4 also should be cancelled by virtue of the listing above. The original claims are now completely replaced with new claims 5-27 submitted above. The wording and thus the scope of the new claims are different from those of the claims of the copending application 10/649,665, which should render the provisional ‘same invention’ type double rejection over the copending case moot.

The Action also included a rejection of claim 1 for ‘same invention’ type double patenting, under 35 U.S.C. § 101, over claim 1 of the 6,639,936 patent that issued from the parent of this application. Claim 1 has been cancelled and replaced with new claims 5-27. The wording and thus the scope of the new claims are different from those of the claim 1 of the 6,639,936 patent. It is respectfully submitted that, in view of the clear differences between the new claims of this application and the issued claim of the 6,639,936 patent, new claims 5-27 should not be subject the ‘same invention’ type double patenting rejection, under 35 U.S.C. § 101 over the 6,639,936 patent.

Claim 3 also was rejected for obviousness type double patenting over claim 1 of the 6,639,936 patent. The 6,639,936 patent and this continuation case are assigned to Golden Bridge Technology, Inc. A Terminal Disclaimer is filed herewith to overcome the obviousness type double patenting rejection.

Upon entry of the above claim amendments, claims 5-27 should be active in this application. The various double-patenting rejections are overcome, therefore all of the pending

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claims should be in condition for allowance. Accordingly, this case should now be ready to pass to issue; and Applicants respectfully request a prompt favorable reconsideration of this matter.

It is believed that this response addresses all issues raised in the February 24, 2005 Office Action. However, if any further issue should arise that may be addressed in an interview or an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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